IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.54018-M of 2006

DATE OF DECISION: OCTOBER 26, 2006

Bimal Jain and others

...PETITIONERS

VERSUS

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr.B.S.Bhalla, Advocate,
for the petitioners.

Mr.N.S.Gill, AAG, Punjab.

...

The petitioners apprehending their arrest in a non-bailable offence in case FIR No.213 dated 19.6.2006 registered under Sections 336/188 IPC, Sections 25/27/54/59 of the Arms Act and Section 61/1/14 of the Excise Act, at Police Station City-I Moga, have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

I have heard the counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioners contends that the only allegation against the petitioners is that they had organized an exhibition of vulgar dances and firing at publc place without any reasonable cause at the time of celebrating the election of the Chemists Association, Moga. Counsel further contends that totally false allegations have been levelled due to political rivalry. Counsel contends that in terms of the interim order dated September 7, 2006, the petitioners have joined the investigation. Counsel for the respondent-State does not dispute this fact and further on instructions from ASI Tara Chand states that the petitioners are no more required for further investigation.

In view of the above and for the reasons stated in the interim order dated September 7, 2006, the same is made absolute on the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter, the petitioners shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

October 26, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE